



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD
Phone: (978) 874-7414
swallace@westminster-ma.gov

Jon Wyman - Chairman, Marie N. Auger - Vice Chair, Michael Fortin Andrew Rice

MINUTES OF REGULAR MEETING

Tuesday, February 9, 2016

Room 222, Town Hall

Attendees: Jon Wyman , Marie Auger, Mike Fortin, Andrew Rice, Town Planner Stephen Wallace

Absent:

Additional Attendees: Mr. Siobhan Bartkus, Mr. Dan Bartkus, Ms. Patty Hurd, Mr. Dean Johnson, Mr. Andy Hertel, Ms. Susan Nickerson, Mr. Wesley Flis, Mr. Joseph Aveni (did not sign in)

7:00 p.m.

Jon opened the Planning Board meeting and informed those present the meeting was being audio recorded.

7:00 p.m. - Minutes

Jon asked PB members to review the January 26, 2016 meeting minutes. Marie motioned to approve both sets of minutes. Seconded Mike. The PB voted AIF to accept the minutes.

7:01 p.m. - *Westminster Estates (Woods at Westminster): minor revision to previously approved subdivision - plan signature of revised plans and covenant.*

Stephen updated the Board on progress of the project. The owners submitted a letter showing proof of a "Clerk of the Works" representing owners of the project(Whitman & Bingham). There was a Monday February 8, 2016 meeting with Stephen Wallace, Patrick McCarty of McCarty Engineering, DPW, and the owners where it was agreed there would be seven progress inspections on the roadwork, sitework and drainage of the project. Money for the inspections will come from the owners 53G account for the project. Jon signed the inspection agreement in behalf of the PB. On a motion by Mike to endorse the covenant and sign the revised Subdivision plans, seconded by Marie, the PB voted AIF.

The Board then reviewed the modified Form E covenant. Stephen checked that it matched what Westminster Town Counsel had sent back and the PB signed the covenant. The PB signed the revised Plans dated November 18, 2015.

7:20 p.m. - *Meeting with Agricultural Commission regarding proposed zoning changes.*

Mr. Dean Johnson asked the PB a number of questions: Mr. Johnson asked if the new bylaw was allowing agriculture everywhere in Town. Stephen told him that both prior uses in the Table of Uses (C. Agricultural Uses 1 & 2) had allowed Farms: agriculture, orchard, horticulture, or silviculture, everywhere in town whether exempted or not under M.G.L. 40A. The intent was to clean up the Table of Uses by combining the two separate items 1 & 2 and moving the definition portion of description to a new definition of Farms in the definition section of the bylaw. Mr. Johnson asked the PB if the new bylaw intended to outlaw all pigs in town. With Mr. Johnson's help it was determined that the existing bylaw allowed pigs on parcels greater than 5 acres. The PB agreed that the stricken section in the draft would be re-inserted with a positive reference to allow pigs on parcels greater than 5 acres: "The raising of swine on parcels of five acres or more and exempted under MGL Chapter 40A, Section" would be a yes (Y) in all districts.

Mr. Johnson and Mr. Andy Hertel asked about raising livestock on parcels smaller than 5 acres. Ms. Susan Nickerson pointed out that it was already allowed under the I. Accessory Uses (3) section of the

existing bylaw. The livestock definition will also be revised to state the raising of swine is permitted on parcels greater than five acres.

Stephen updated the PB on the other comments from town committees and boards:

- DPW comments have been addressed.

- Health Agent would like to see paintball or frisbee activities added to allowed uses. Stephen told the Board they may already be allowed under existing B. Institutional, Recreational... (13) (New Draft 16) Country Club, golf, swimming, tennis or *other recreational*.

- Ms. Donna Brownell suggested construction debris be added to the excluded uses in the new definition of Recycling Facility. Mike suggested the "Nuisance" language in the definition and state regulations regarding hazardous materials would regulate any construction debris being recycled. Jon noted that LEED building programs encourage recycling of construction materials.

- The Advisory Board asked where the new rehab center would fall under our present zoning. The present facility was allowed through the present process allowing the hospital portion to be allowed under a special permit and the existing building under commercial uses they now fall under.

The Board discussed the upcoming informational meetings.

7:52 p.m. Review & Comment: Zoning Board Finding Request on behalf of John & Mildred Mercier, to erect a new single family home in place of the old one at 5 Hill Road (Lakewood Park).

The PB reviewed the ZBA request for comments on the Finding Request. Mike noted that the package of materials continues did not include elevations of proposed building and does not believe there is enough material in the packet (elevations) to make a fair assessment of whether the project is an improvement or detriment to the neighborhood. After discussion and review of the materials included in the packet, Mike proposed the PB offer no comment. Seconded Marie. AIF to send a email of no comment.

8:55 p.m. Town Planner Report for January 2016.

The Board reviewed the monthly report and had no comments to offer.

Stephen noted that ethics certificates needed to be updated for all Board members and certificates of completion need to be returned to the Town Clerk.

The PB signed the authorization to pay the Gardner News bill for advertising the public information sessions.

8:01 p.m. Adjourn.

Marie made a motion to adjourn. Mike seconded. The PB voted AIF to adjourn.

2 Pages of Minutes
Respectfully submitted,
Michael Fortin

6 Attachments :

- 1) Westminster Woods - "Westminster Estates" Clerk of the Works Letter from Whitman and Bingham Associates, LLC January 27, 2016. 1 page. (*Woods-PB-Clerk of Works.pdf*)
- 2) Westminster Woods - "Westminster Estates" - Counsel Approved Form E covenant. 6 pages. (*Woods at Westminster minor sub revise - Counsel Approved Form E.pdf*)
- 3) Plan of Land prepared for Woods of Westminster dated November 18, 2016.
- 4) Draft #5 Zoning Definitions and Table of Uses.
- 5) Mercier- Zoning Board Finding Request for Comments package.16-01 dated 2/18/2016 9 Pages. (*Mercier Finding Map - Hills Road.pdf*)
- 6) Town Planner Update Memo to BOS dated January 29, 2016. 2 pages. (*Planner Update Jan 2016.pdf*)